

United States District Judge
Arthur J. Schwab

Preliminary Injunction will be denied as moot as Rodriguez is no longer subject to the conditions he attempts to challenge. *See Weaver v. Wilcox*, 650 F.2d 22, 27 n.13 (3d Cir. 1981) (concluding that prisoner's transfer from the prison moots claim for injunctive and declaratory relief with respect to prison conditions, but not claims for damages.).

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:


AND NOW, this 25th day of March, 2015;

IT IS HEREBY ORDERED that Plaintiff's Motion for Injunction (ECF No. 4) is **DENIED as moot**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 82), as supplemented, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that this matter is remanded back to the magistrate judge for all further pretrial proceedings.

By the Court:



Arthur J. Schwab
United States District Judge

cc: HERIBERTO RODRIGUEZ
FW1620
SCI Frackville
1111 Altamont Blvd.
Frackville, PA 17931
(via U.S. First Class Mail)

Timothy Mazzocca
Office of Attorney General
(via ECF electronic notification)